

Mohamed John Akhtar and
La Buca Restaurant, Inc. d/b/a
Swing 46 Jazz and Supper Club,
Plaintiffs,

v.

Eric Adams, Mayor of the City of
New York, Rohit T. Aggarwala, New
York City Department of
Environmental Protection, Eric I.
Eisenberg, and John and Jane
Does One through Thirty,
Defendants.

Case No. 23-cv-6585

Affirmation in Opposition

Anthony N. Iannarelli Jr., of full age affirms to the following:

1. I am attorney for plaintiffs in the above captioned matter. I incorporate by reference my letter, dated March 12, 2025, to the Hon. Valerie Figueredo, Magistrate Judge, and I affirm to the truth to the contents contained in that letter.

2. This Affirmation is in Opposition to a Motion, dated March 11, 2025, filed by defendant Eric M. Eisenberg. I deny the allegations contained in that Motion, along with any attached documents, and I believe the sole purpose behind that Motion is to harass me, deny my clients the right to counsel, and in retaliation for a letter I wrote to the Court dated March 10, 2025.

3. In that letter of March 10, 2025, I reported to the Court certain disturbing communications that had been sent to me via by defendant Eisenberg. Given the nature of the contents of those communications, I was under an ethical obligation to bring the emails to the Court's attention.


4. Because of the embarrassment the contents of defendant's Eisenberg Motion has

caused me, I ask that the Motion and my Response documents be placed under seal. The reason is simply that the contents of the Motion contain personal medical information that I did not consent to the release, nor allow, for the purpose they are being used by defendant Eisenberg.

5. I have sent an email explaining to defendant Eisenberg that he was utilizing my personal medical information without my consent, but defendant Eisenberg has thus far refused my request.

I affirm to the truth of the foregoing. I understand that I can be subject to punishment for any statement intentionally made false.

Dated: March 12, 2025



Anthony N. Iannarelli
Attorney for Plaintiffs

Anthony N. Iannarelli Jr.
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March 12, 2025

Confidential

Hon. Valerie Figueredo
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

Re: Mohamed John Akhtar et al. v. Eric Adams et al.
Case No. 23-cv-6585

Dear Judge Figueredo,

I represent plaintiffs in the above captioned matter. I have reviewed defendant Eric M. Eisenberg's Motion, dated March 11, 2025, to have me removed as counsel for plaintiffs. I deny the allegations, and my client wants me to remain as their attorney. If I had the slightest inkling it would not be to my clients' benefit to have me remain on the case, I would immediately seek to withdraw. What Mr. Eisenberg has done is absolutely wrong, unconscionable, and abusive. He is aware my clients are indigent, and the obvious goal is deprive them of counsel that has held Mr. Eisenberg accountable for the damages he has caused to Mr. Akhtar and his business.

The statement he is using is taken out of context, and it was only revealed to rebut his character attacks against me. I also made it clear my statement was not a waiver of my privacy rights, and he had no business making such a filing in the public record. Out of decency he could have addressed the issues to me beforehand and/or made such a motion under seal.

In my letter to the Court, of March 10, 2025, I made an attempt to be conciliatory, but it has been to no avail. Nor does it appear that he is willing to conform to the rules of professional responsibility. Also, in my letter I point out to the Court some of the very disturbing statements Mr. Eisenberg has made to me, yet I did not seek sanctions or ask for the Court's intervention. That was my mistake, and I will reserve such a request for a future date. Indeed, it is unfair to myself, along with my client, that I have to spend valuable time responding to Mr. Eisenberg's constant attacks.

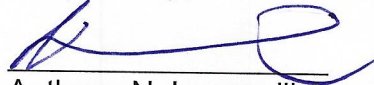
I do not want Mr. Eisenberg's behaviors to become a distraction in the case. I have reasonable belief that Mr. Eisenberg has been served, so I must ask the Court for a discovery Order to have the case move forward because it is nearing the two year filing date.

Not that I need to explain, but I realize I have a disability and I have worked well through a difficult life experience. I do very well with a reasonable accommodation, and added support staff that assists in reviewing and editing documents. But I do not deserve to suffer Mr. Eisenberg's constant character attacks over my disability, and now, as I pointed out in my letter to the Court, his recent communications, along with the motion herein, might be generously described as harassment, if not outright attempts at intimidation.

To clarify what I ask of the Court is to accept this letter as a Response in Opposition to Mr. Eisenberg's Motion, dated March 11, 2025, a denial of his allegations, and to seal this letter and the Motion itself, which appears in as ECF Document # 136.

Thank you kindly for your attention to the foregoing.

Respectfully,



Anthony N. Iannarelli Jr.
Attorney for Plaintiffs

Via email

cc: Mr. Eric M. Eisenberg, *Pro se*
Mohamed John Akhtar/Swing 46
Plaintiffs

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

**Mohamed John Akhtar, La Buca
Restaurant, Inc., DBA Swing 46
Jazz and Supper Club,**

Plaintiffs - Appellants,

v.

**Eric Adams, Mayor of the City of
New York, Rohit T.
Aggarwala, New York City
Department of Environmental
Protection, Eric M. Eisenberg,**

Defendants - Appellees,

Jane Does 1-30, John Does 1-30,

Defendants.

Docket No. 23-cv-06585

Affirmation of Service

Anthony N. Iannarelli Jr., of full age and the attorney for plaintiff-appellants herein, affirms under the penalty of perjury to the following:

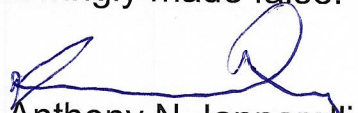
1. On March 12 , 2025, I served plaintiffs' Response in Opposition to Defendant Eric M. Eisenberg's Motion to have me relieved as attorney of record for plaintiffs, by:

1. email @ ericeis@gmail.com, and ericnoise@hotmail.com .

2. On the same date, I performed additional service by personally mailing, via United States Mail, postage paid, a copy of the same Response in Opposition document to Eric M. Eisenberg, at 454 West 46th Street, Apt. 1ES New York, New York 10036-8804; and Eric M. Eisenberg, at Unit 1408, 1300 S Miami Avenue Miami, FL 33130.

I affirm to the truth of the forgoing and am aware that I can be subject to punishment for any statement knowingly made false.

Dated: March 12, 2025


Anthony N. Iannarelli Jr.
Attorney for Plaintiffs